

#9 Election
*S. Zimmerman*PATENT
SIM0080 -Paper No. 6

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
Stefan Tobolka) Group: 3721
Serial No.: 10/010,798)
Filed: November 13, 2001) Examiner: John Sipos
Title: HEAT SEALING AND CUTTING MECHANISM)
AND CONTAINER FORMING APPARATUS)
INCORPORATING THE SAME)

ELECTION UNDER 35 U.S.C. § 121

Assistant Commissioner for Patents
Washington, D.C. 20231

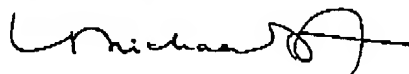
Sir:

Responsive to the Office Action (Paper No. 5) dated January 28, 2003, Applicant elects without traverse the invention of Claim Group I, which consists of claims 1-26, relating to a heat sealing and cutting mechanism or station.

In the event Applicant has overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicant hereby petitions therefor and authorizes that any charges be made to Deposit Account No. 02-0385, Baker & Daniels.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at 260-424-8000.

Respectfully submitted,



Michael D. Smith
Registration No. 40,181
Attorney for Applicant

MDS8/nw

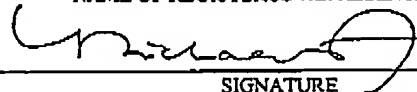
BAKER & DANIELS
111 E. Wayne Street, Suite 800
Fort Wayne, IN 46802
Telephone: 260-424-8000
Facsimile: 260-460-1700

CERTIFICATE OF FACSIMILE TRANSMISSION

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FAXED
TO TECHNOLOGY CENTER 3700 OF THE UNITED STATES PATENT
AND TRADEMARK OFFICE AT RIGHT FAX NUMBER (703) 872-9302
ON: February 3, 2003.

MICHAEL D. SMITH, REG. NO. 40,181

NAME OF REGISTERED REPRESENTATIVE



SIGNATURE

February 3, 2003
DATE

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Fr m: Michael D. Smith**Date:** February 3, 2003**Comments:** _____**Return To:** N. Wappes**Total number of pages, including cover letter:** 2**FAX RECEIVED**
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